

# The Democratic Standard.

DEVOTED TO THE SUPPORT OF THE CONSTITUTION AND LAWS—THE DIFFUSION OF GENERAL INTELLIGENCE—AND THE REFORM OF ALL POLITICAL ABUSES.

BY D. P. PALMER.

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For the Standard.

## THE PRESIDENTIAL CONTEST.

We cannot notice without regret the course of the friends of some of those men whose names are before the people as candidates for the Presidency. We are aware that it is perfectly natural that the friends and adherents of Cass, of Johnson and of Calhoun, should be zealous in urging the claims of these distinguished men upon the democratic party, that each one should be anxious that his choice should be the choice of the national convention. But it appears that a few, (and they number very few we hope) are already disaffected and have declared their unwillingness to submit to the decision of the convention; abandoning at this late day that great cardinal principle of our government, which the Democracy of the land shed their blood to establish during the revolutionary struggle, "the right of the majority to rule." Whilst we look upon Mr. Calhoun as one of the intellectual giants of our party, we must at the same time censure the course pursued by some of his friends in relation to this affair.

We are decidedly in favor of the nomination of Martin Van Buren. He is our preference above all others, but we are perfectly willing to submit without a word, and give all our support to the nominee of the national convention. Ever since this great nation was first divided with regard to political opinions, it has been a characteristic doctrine of the democratic party to support "measures not men," and this simple fact, connected with that other great fact, that the doctrines which they have maintained are the only true and correct ones, explains the secret of the success of the democracy:—a secret the whigs have always pretended to be unable to reveal, a great mystery they have never had discernment to explain. And whilst we continue to hold fast to these radical principles, success is certain. True the minds and fancy of the great mass of the people may occasionally be wrought upon, by great excitement produced by displays of log-cabins, hard cider conventions and coon-skins, but "truth crushed to earth will rise again," the second sober thought of the people will place all at rights.

But to return to the subject, we have a few ideas to suggest in relation to the next Presidential election, and first of all we must look for a commander; without one we cannot conquer—with more than one, defeat is certain. We think we have fully shown the unreasonableness and impolicy of those who will persist in declaring their determination to act independently and to disregard the will and wish of the majority of the party. But again one of the greatest objections they can prefer against Mr. Van Buren, (we here speak of him upon the supposition, which we think is well founded, that he will receive the nomination) is "that they do not like the man." Can any one who has even assigned this as reason for opposing Mr. V. B. reflect for a moment without perceiving the perfect futility of it. Leaving out of consideration entirely, his eminent abilities, which experience has shown us so well qualify him for that important post, and which we presume no one will deny, we should look for even higher considerations. For in looking over the formidable list of distinguished statesmen, this generation has produced, we will find some, who so far as talents

are concerned are equally as fit for the office as Mr. Van Buren, but who when viewed with regard to their political opinions we would consider entirely disqualified. We should look more particularly at the measures which he will carry out; we should consider him only as the embodiment of our own principles, which he holds in common with every member of the democratic party, rather than as a private individual holding opinions and entertaining sentiments peculiar to himself. It is not to be expected that every individual will be perfectly satisfied, but it is much better to unite upon one man, than to cause a division in the ranks. Let us adopt the utilitarian doctrine, of conferring the greatest good upon the greatest number, let us all unite upon the nominee of the national convention whoever he may be.—This done the great work is in a measure accomplished. The signs of the times are cheering. When was unanimity ever more clearly manifested at our State conventions than at the last. The delegates from the different parts of the State were there assembled together, and all seemed of one opinion, all were united, all confident of success.— Besides this unanimity in our ranks, we all hope still recollect the disastrous results of the campaign of '40, and also the measures by which the whigs succeeded. It is of no use to disguise the truth, the people were ripe for a change, the whig leaders were artful men, they gave a right direction to the current, the democracy were lulled into a fatal security by continual successes, and the federal party triumphed. But the scene is now shifted,—the people have had a change and find they are worse conditioned than before they only await the opportunity now to renounce their errors.

Nothing is now wanting to stir up the zeal of the democratic party but to place Martin Van Buren before the people for the same office.

What greater triumph can we desire than to again elect him President? But we should remember that we have the same wily and intriguing opponents.— Henry Clay is their idol: what will they not do to elect him? We may be assured they will leave nothing undone, that they can possibly do.

Already they are spreading their songs amongst the people, hoping to produce the same excitement, and enact again the scenes we witnessed in '40, but coonism, or coon-worship (to use a Carlyleism) is defunct—the appetite of the people is satiated.

Too great confidence of success may yet prove fatal to us. Let us be on the qui vive, let there be unanimity in our ranks, and Henry Clay will meet with a severer rebuke from the people than he has ever did before.

## REMARKS OF MR. BALDWIN,

OF CLINTON COUNTY,

In the Senate, January 30th, 1844; the question being on the final passage of the bill "to fix and apportion the representation in the General Assembly of the State of Ohio."

M. BALDWIN said, Mr. Speaker: I do not rise for the purpose of protracting this discussion, or delaying the vote, which I am satisfied, the majority desires should be taken. But there are some things, which have been said by Senators on the other side, so strange, so unjust, that I am unwilling that the vote should be taken, until some of them have been replied to, and exposed. This discussion has taken a very wide range, and in order that the minority should not have it to say, that we had tied them down, by the rules, to the bill under consideration, we have permitted them, not only to discuss the merits of the apportionments of 1833, and 1840; at one word, we have permitted them to deal out all the billingsgate and slang, so peculiar to their party. I now intend to answer their arguments as to the merits of the bill, and to dispose of their party slang, in a summary way, as I pass along. There is one redeeming trait, in the remarks of these gentlemen. The Senator from Lake, (Mr. Perkins) and the Senator from Muskingum, (Mr. Chambers,) both seem to recollect, that we have a Constitution in the State of Ohio—that we are sworn to support it, and that the oath lays us under solemn obligation to observe, protect, and preserve that con-

stitution. We have been constantly admonished by these gentlemen, that we must regard that constitution; that it contains provisions by which their party intend to be bound in districting the State; and these provisions are constantly thrust before us as an objection to the passage of the bill. With how much force and reason, I shall presently examine. These men intend to regard the constitution and I rejoice to hear it. If they are sincere, it is certainly the dawning of a new era. The Constitution—the sheet anchor of our political safety—the palladium of our liberties—the best boon from Heaven, transmitted to us from the hands of a pure and patriotic ancestry; and under which, two millions of souls enjoy more of the blessings of earth, than have ever fallen to the lot of any people, since the first man was driven from Paradise, is in future, to be respected and observed by the whig party, if we can rely upon their professions. What a change! It is only about seventeen months since that party was congregated in this Capitol, and then as now, they had laid their hands upon their hearts, and appeal to their God, that they would support this same constitution; and still we found that party, which then embraced the highest functionary of the State, plotting "TREASON" against that State, and actually dissolving the law making power, by the overt act.— They then cast the constitution from them as an unholy thing—trampled it under their feet, and sung hosannah to their triumph.

This is the party, these are the men, that claim to have so much respect for its provisions, and are constantly admonishing gentlemen, not to overlook them.— To whom are their admonitions addressed? Addressed, sir, to the men, who at the time, besought, implored, and by every civil means within their power, endeavor to avert the deadly blow. Addressed to the men, who, at the time, raised up that down-trodden constitution, all bruised and mutilated, and presented it to the millions of freemen, which it had shielded, and protected, and asked them to rally to its support—who raised its standard aloft, and stood by it, and watched its destiny, until the conspirators were overthrown, and the soft hand of the "Goddess of Liberty," had healed up its bleeding wounds. If this party has repented, and will show by their good works, that repentance, it may be forgiven.—but let it not think, by lip service, to deceive us into a regard for its piety, while its heart is full of malice and anger. Let it not profess a love for the constitution, while it is still seeking to destroy it.

Let us look at their constitutional argument, and what merit there is in it.— They refer us to the first article and second section, which reads as follows. "Within one year after the first meeting of the General Assembly, and within every subsequent term of four years, a enumeration of all white male inhabitants above twenty-one years of age, shall be made in such manner as shall be directed by law. The number of Representatives shall, at the several periods of making such enumerations, be fixed by the Legislature, and apportioned among the several counties according to the number of white male inhabitants above twenty-one years of age in each."

Now, according to the arguments of the Senators from Lake and Muskingum, if I understand them correctly, this provision of the constitution requires us to apportion the representation to single counties, or to give each county a Representative, so far as it can be done; or in other words, to group several counties together for the election of Representatives; it would only be constitutional to allow each county a separate representation.— There are seventy-nine counties in the State, and it is provided that, so long as the present constitution shall last, there shall never be more than thirty-six Senators and seventy-two Representatives.— Now, if we should adopt the gentlemen's construction, and go on and apportion to each county a Representative, without reference to its population, until we gave Representatives to seventy-two counties, there would still be seven counties entirely excluded from a representation. But adopt this rule, and give the counties each a separate representation, and what becomes of that other clause which says they shall be "apportioned among the several counties, according to the white male inhabitants above the age of twenty-one years in each." It is as much our duty by the constitution to apportion them in proportion to the number of white males, as it is to apportion them among the several counties. Will the Senators say that I have put a construction upon their arguments which they did not intend? That they only intended that the larger counties should have a separate representation, and those with less population might be formed into districts and elect in common? If that is a correct construction of their argument, then all their prating about the constitution is mere "twaddle," and exploded by this in-

gloriosa. Whenever they admit that two or more small counties may be formed into a district without a violation of the constitution, they admit that all the other counties may be disposed of in the same way. It was known to the framers of the constitution that the population of the several counties would always be vastly disproportionate, and the only object they had in view, and the only idea expressed by them, was, that the number of white males should be regarded in apportioning the representation, and not the extent of the territory—that men should be represented, and not property or lands. It has been clearly shown by the senator from Hamilton, (Mr. Disney) and has not been controverted, that the bill under consideration carries out this object of the constitution with an accuracy and a precision unprecedented in apportioning the representation of this State. Why all this opposition? It must proceed from some other, perhaps some secret cause. But the Senator from Lake has many qualms of conscience as to the constitutionality of this bill. Let me test that gentleman by his vote on this very question.— I hold in my hand a bill emanating from that Senator's side of the chamber, offered last night by the Senator from Carroll, (Mr. Eckley) as a substitute for the bill under consideration, and, also, the yeas and nays on the question of striking out and substituting. I find eight votes recorded in the affirmative, and the Senator from Lake is one of the number. Five whigs were excused from voting, and three dodged.

The ratio for a representative is a fraction over four thousand five hundred, and to carry out the spirit of the constitution we should approximate as nearly as possible to that ratio. It is provided by the bill for which he voted, that the county of Preble should be entitled to one representative with only 3796 white males, being 729 short of the ratio. Also, that the county of Holmes with only 3557 white males, or about 1000 below the ratio, should have one representative.— Also, that the county of Carroll, with 3509 white males, or more than 900 below the ratio, should have one representative, while it is provided in the same bill that the county of Montgomery, (which it attaches to Preble for a senatorial district) with 6929 white males or about 3000 more than Preble contains, shall have one representative and one float for two out of the four years. It is also provided, that the county of Tuscarawas with 5528 white males, should have but one representative.— Thus giving Holmes as great a representation as Tuscarawas, although the latter contains 1701 more white males than the former. Numerous other examples might be pointed out, but I will desist. Enough has been presented to show what force these constitutional arguments have on the minds of the gentlemen when they come to vote on a bill which emanates from their own party.

Not a member on the other side dares to take up the bill under consideration and show by figures, that its whole provisions taken together does not give to each district, and each county, in the State a full representation in the two branches. Why is this not done? If injustice is done by any portion of the State, these gentlemen have the ability and the inclination to show it. Why is it not done? Their refusal, to make the effort is proof positive that the bill is just. That where any county or district loses in one branch that loss is made up in the other; and where a county or district gains in one branch that gain is taken from it in the other. That is justice, and it is the only way you can district the State justly without dividing counties.

The system of "floats," as it is called, is another cause of loud and long complaints from these gentlemen. They set up that objection when the bill first made its appearance, and they have continued it ever since. What is there so remarkable about it? What is this "floating system?" Sir, it is this: You form a Senatorial District, which has not the exact number of white males to entitle it to one Senator and two Representatives, but more than enough to entitle it to one Senator and one Representative—you have two or more such districts. You are fixing the representation for four years, and you give one of these districts two Representatives this year, and but one next—you give to the other one Representative this year and two next.— Thus in the four years taken together, you will allow each its full share of representation, and it is all the way it can be done without a division of counties. This too, has been pronounced unconstitutional. If it is, a great many members of the whig party have violated the Constitution, for it has been shown, from the laws read by the Senator from Hamilton, (Mr. Disney,) that ever since the number of Senators and Representatives were fixed at the constitutional limit, there have been floating members. By the laws of 1824, of 1829, of 1832, of 1833, and of 1840, it was

so. The law of 1832 was passed when the political friends of these gentlemen had a majority in both branches of the General Assembly. The law of 1833 was passed in House by a vote of 50 yeas to 10 nays; among those who voted in the affirmative, were many shining lights in the gentlemen's party. If the "floating system" is unconstitutional, then did their friends violate the Constitution in '32 and '33, and the Senator from Lake violated it or last night, when he voted for the substitute offered by the Senator from Carroll, for it provides for thirteen floating members for each of the four years. Such are some of the beauties of the gentleman's consistency. He voted to strike out the bill under consideration, because it contained thirteen "floats," and to substitute the amendment of the Senator from Carroll, which contained thirteen "floats." It was unconstitutional to vote for a bill presented by a democrat containing "floats," but it was constitutional to vote for a bill presented by a whig, which contained the same number of "floats." There is something mysterious about this; but by examination, it can be explained. The two bills contain the same number of floats, but the one the gentleman wished to strike out gave the whigs, for the present year, seven, while it reserved to the democrats six; and the one he wished to substitute, gave to the whigs, for this year, ten, while it allowed the democrats three. This is a great difference, and materially changes the provisions of the Constitution.

Much has been said by gentlemen on the other side about the political effects of the bill, and we are charged with a design of so shaping it as to perpetuate democratic ascendancy in the Legislature. Let us look at the facts. The Senator from Muskingum seems to have but one idea, but one aim, and that is to get the ascendancy in this branch of the General Assembly. He says they have a majority in the State, and, therefore, are entitled to a majority in the Senate. To prove that his party has a majority he refers to the vote of 1840. As he has appealed to that vote, let us try the bill under consideration by it. By the vote of 1840, this bill gives the gentleman twenty-one senators, while it gives us fifteen—a clear majority of six.— By his own text, his party would not be entitled to a majority of 2. The most justice could claim for him would be nineteen to our seventeen. All he would have a right to claim in the House would be a majority of four, and this bill gives him ten.— Here, by his own text, we allow him six in the House, and four in the Senate, more than the vote of 1840 would entitle him to. May I not adopt his own language, and inquire "in God's name," is that not enough? Sir, it is enough, and more than enough. He is constantly prating about their majority in the State, and their right to a majority here; and when asked for an evidence of their majority, he points us to 1840.— Now, that election was fair, or it was fraudulent. If it was fair and honest, this bill gives them both branches whenever they choose to exercise their power; if it was fraudulent, they are the minority in the State, and not entitled to a majority here. Here, then, is a dilemma, the gentleman may select the horn which he prefers. The very fact that he is dissatisfied with this bill convinces me that he well knows that the election of 1840 was a fraud, and that they have not now, or ever have had, a majority of the legal voters in the State.

He tells us that, by former apportionments, we have had a majority in the Legislature, while they have polled a majority of votes. When was this? Did former apportionment bills effect the election of Governor? That is not pretended. Still, in 1833, we elected a democratic Governor and a majority in the Legislature. In 1840, they elected, or professed to elect a Governor, and did they not also elect a majority to the Legislature? Sir, our ears were stunned in 1840, by their piteous cries of fraud in districting the State, while that very law gave them an advantage, taking four years, and under it, in 1840, they elected fifty out of the seventy-two members of the House, and would have had a majority in this branch but for the members that held over from 1839. If they have not had a majority since, it is not because the law is against them, but because the people condemned their reckless spirit and reckless measures. That is no fault of ours. The people always have, and always will condemn their measures and their acts.

But this member from Muskingum (Mr. Chambers) says that in 1842 our majority was not large—that if his abolition brethren had not deserted them, they would have had as many votes for Governor as had the democrats. This may be true; but if they, by their duplicity—by their violation of principle and want of good faith, drove the abolitionists from

them, and compelled them to resort to a separate organization, they have no right to complain of us—or have they any more right to claim the abolitionists than have the abolitionists to claim them. In 1842, the democrats elected a Governor and a majority to the Legislature, which is nothing more or less than they have done for years [except '40] and will continue to do for years to come.

They talk to us about a fair and honest bill, but do not attempt to show that the one under consideration is not fair and honest—while we show that it is both so far as population, and that politically it gives our opponents an advantage. This I do not regard myself, for their principles and actions here are so perfectly indefensible that I should not despair of carrying three fourths of all the counties in the State at the next election. But lest some one may be deceived by their profession of political honesty, I propose to examine the bill for which they voted last night. Bear in mind that I have shown by the vote of 1840, they were entitled to nearly nineteen, while we were entitled to a little more than seven Senators; and to nearly thirty eight while we were entitled to a little more than thirty-four members of the House. What, then, do these honest and fair politicians claim by their bill? By the vote of '40, they claim that they have a majority in the State, and by their loud professions of honesty, and their expression of horror at the slightest appearance of political fraud, we had a right to expect that their bill would conform to the strictest principles of justice—that they would have taken nineteen and have given us a majority of thirty-eight, and have given to us thirty-four members of the House. This we had a right to expect. But is it so? The bill offered by the Senator from Carroll, and for which they voted, tested by the vote of '40, gives the whigs TWENTY-FIVE and the democrats ELEVEN SENATORS. It gives the whigs, permanently, FORTY and the democrats, permanently, THIRTEEN members of the House, providing for thirteen floats each year; and then in 1844, it gives the whigs TEN, and the democrats THREE. Thus it will be perceived that, in 1844, this bill would give the whigs twenty-five in the Senate and fifty in the House—seventy five in all; while it would give the democrats eleven in the Senate and twenty two in the House—thirty-three in all. By this arrangement they would have FORTY-TWO on joint ballot. Can it be so? Do not my senses deceive me? Is it possible that men who have so loudly professed honesty, and who have so often and wantonly charged upon us a design to secure a majority on joint ballot at the next session for the purpose of electing a United States Senator, could themselves be the authors of such a bill? Sir, it is so. I hold the bill in my hand as it left the hand of the author, and here are these propositions; and here, too, are the yeas and nays upon that bill, as they were taken down at the time by the Clerk.— There is but one way of accounting for their conduct; that is, they are determined to have a majority at the next session, that they may elect a United States Senator, and as they cannot get it by a fair apportionment bill—the people now being against them—they are determined to insist upon it in the face of justice. While they are playing this game, in order that their designs may be concealed, they charge us with the sins they intend to commit. This device cannot succeed—the mask is torn off, and their designs appear, in the bill they have presented, in all their naked deformity.

Another objection made to the bill we are about to pass, is, that there is a difference in the number of white males embraced in the several Senatorial districts, that, while some fall considerably below, others rise considerably above the ratio. This is true, and no man living can devise a bill that will not be subject to the same objection, unless he divides the counties. By this arrangement nothing is lost to the larger districts, as they have a larger representation in the other branch. But, with his usual want of fairness, when party is involved, the Senator from Muskingum attributes this difference to a design on our part to let democrats represent small districts in the Senate, while we require whigs to represent large ones. Here he is, as usual, at fault. I have examined the bill on that point, and find that it provides for seven districts with a population below the ratio—of these seventeen, nine are whig and eight are democratic.

Gentlemen have been most unfortunate in their attacks on this bill. At every point we have met them, and at every point have they been repulsed. This bill is one that has been prepared with a great deal of labor and care, and it is such an one as the people of all parties would be satisfied with if their politicians had would meet in a spirit of fairness and